## McGarvey

McGarvey is directed to a method of TCP/IP host name resolution for computers connected to multiple domains. As background information, McGarvey describes the internet domain name resolution process. See column 1, lines 1-49. This process is described in greater detail in Internet standards document RFC 1034 (attached for the Examiner's convenience and dated November 1987). See column 1, line 55.

In McGarvey, a single host is connected to at least two primary domain name servers: "The local host may be configured with two or more primary domain name servers, one for each domain to which the host is connected." Column 2, lines 62-63. A resolution request is concurrently sent to each of the primary domain name servers: "Resolution requests are sent to the primary domain name servers in all the domains simultaneously." Column 3, lines 3-5. The host has a list of the domain name servers that includes both primary domain name servers and alternate domain name servers for each domain: "The names of the domain name servers for each domain are kept in a list. The first member ... is the name of the primary server ... other names on the list are alternate domain name servers ..." Column 2, line 64 through column 3, line 3. If the primary domain name server for a particular domain does not resolve the request, the host then queries the alternate domain name servers in the list for that domain. "If one or more of the primary name servers do not respond, requests are sent to an alternate name server for each of those name servers that have not responded." Column 3, lines 11-13. This process is further described at column 2, line 61 through column 3, line 16.

## Claims 1, 6-16, and 20

Claims 1, 6-16, and 20 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over McGarvey. Applicants respectfully traverse this rejection.

Independent claim 1 recites, in part, " ... if a predetermined condition exists at one or more of the web servers, ... redirecting by that web server at least one browser request ... such that the browser requests the web page from the another one of the web servers..."

Independent claim 15 recites, in part, "a manager ... to determine if a predetermined condition exists ... and a web server capable of redirecting at least one browser request ... such that the browser requests the web page from the another one of the web servers."

Independent claim 20 recites, in part, "periodically monitoring a web server load metric, and redirecting a browser request ... such that the browser requests the web page from the another one of the web servers ..."

McGarvey fails to teach or suggest at least these claim elements. In contrast to Applicants' claims, the McGarvey host computer contains a list of domain name servers to which it simultaneously sends requests. If the initial server can not fulfill the request, the host then queries the next domain name server on the preprogrammed list. The host does not receive any information from the domain name server that did not fulfill the request and there is therefore no redirection by that domain name server. As such, McGarvey fails to teach or suggest each and every element of Applicants' independent claims 1, 15, and 20, and those claims that depend directly or indirectly from them.

As the Examiner understands, McGarvey is silent as to using web servers. The Office Action states: "McGravey, does not explicitly disclose using web servers." Page 3. The Office Action also states that "the utilization of web servers would have been obvious if not inherent to McGarvey's system." Page 3. Applicants respectfully disagree that utilization of web servers would have been obvious or inherent. The HTTP protocol, commonly used or web service, for example, has a different purpose than that of the domain name service protocol. A web service system would use a domain name server to initially connect a browser to a web server. Once the domain name is resolved, there would be no need to consult that server again. The domain name server would not issue a redirection command to the browser during a session, for example, if a predetermined condition exists at the web server. As such, it is not obvious from McGarvey that there would be any benefit or motivation to use McGarvey with web servers. Applicants' claimed invention therefore is not obvious in light of McGarvey.
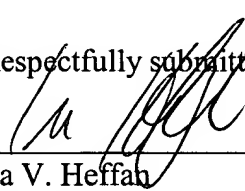
## CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1, 6-16, and 20 and the objection of claim 25, and that the claims be allowed in due course. If the Examiner believes that a telephone conference with Applicants' attorney would be helpful, the Examiner is invited to contact the Applicants' attorney at the number below.

Respectfully submitted,

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